

REMARKS

Claims 1-4, 7, 9-10, and 13-14 were rejected as anticipated by MAKI JP 2002-117819. Claim 1 has been amended and reconsideration and withdrawal of the rejection are respectfully requested.

Amended claim 1 provides, among other features, that positive and negative electrode terminals (e.g., 2 and 3 in the figures) are attached to the positive and negative electrode collectors (e.g., 2a and 3a), respectively, and that a third terminal (e.g., 4) is attached directly to one of the positive and negative electrode collectors and does not directly contact either of the positive and negative electrode terminals. This is illustrated, by way of example, in Figure 4.

By contrast, MAKI shows that reeds 25, 27 and PTC 26 extend from (i.e., directly contact) one of the electrode terminals 23. The reference does not disclose a third terminal that is attached directly to one of the positive and negative electrode collectors and that does not directly contact either of the positive and negative electrode terminals, and therefore amended claim 1 avoids this rejection under §102.

Claim 6 was rejected as unpatentable over MAKI and claims 5, 8, and 11-12 were rejected as unpatentable further in view of HIGASHIJIMA 5,886,502. HIGASHIJIMA does not make up for the shortcomings of MAKI noted above and reconsideration and withdrawal of the rejection are respectfully requested.

New claims 15-17 have been added that further avoid these rejections. For example, the references do not disclose or suggest a third terminal that is attached directly to one of the positive and negative electrode collectors at a position that is opposite and remote from a position where the respective one of electrode terminals is attached to this collector, as in claim 15, or the third terminal inside the respective casing/outer member in claims 16-17.

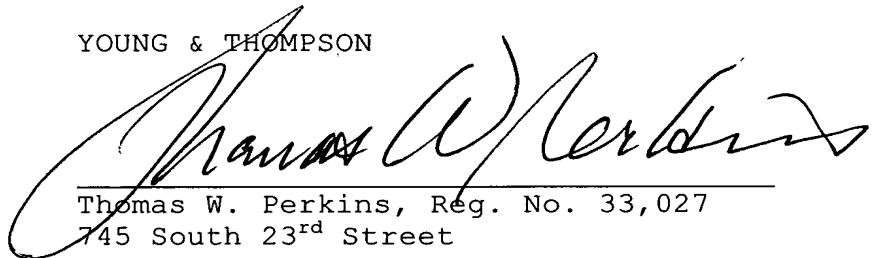
By way of further explanation, MAKI shows in Figure 4 that PCT 26 is connected to electrode terminals 23 at a position that is outside the battery body 20. This structure causes the problems described on page 3, lines 9-14 of the present application. In other words, the present invention affords the advantage over MAKI that since the third terminal is separated from the positive and negative electrode terminals inside the casing (laminate film), the third terminal is less prone to degradation caused by heat generated at the positive and negative electrode terminals. Therefore, the third terminal of the present invention improves the accuracy of the detected temperature of the interior of the battery. The further references do not make up for this shortcoming. In addition, the further references do not disclose or suggest a cell balancer circuit is connected to the third terminal and therefore cannot achieve the advantage of the present invention that the space required to incorporate the cell balancer circuit is reduced.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in dark ink, appearing to read 'Thomas W. Perkins', is written over a horizontal line.

Thomas W. Perkins, Reg. No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

TWP/lrs